

HB 2939 A STAFF MEASURE SUMMARY

Carrier: Sen. Prozanski

**Senate Committee On Judiciary and Ballot Measure 110
Implementation**

Action Date: 05/17/21
Action: Do pass the A-Eng bill.
Vote: 4-2-1-0
Yeas: 4 - Dembrow, Gelser, Manning Jr, Prozanski
Nays: 2 - Heard, Linthicum
Exc: 1 - Thatcher
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
Prepared By: Gillian Fischer, Counsel
Meeting Dates: 5/3, 5/17

WHAT THE MEASURE DOES:

Clarifies that the venue for a youth subject to a waiver hearing is the county where the alleged act was committed, unless and until the waiver to adult court is denied. Authorizes youth commitment at Oregon Youth Authority (OYA) up until age 20 if the act was committed prior to age 18, with some exceptions. Applies provisions allowing a youth to remain committed to OYA up to age 20, to youth in custody for acts committed before, on or after the effective date of this 2021 Act that are the subject of dispositional orders entered on or after the effective date of this 2021 Act that recommend placement in a youth correction facility.

ISSUES DISCUSSED:

- Venue in juvenile cases different from adult cases
- Measure does not change timelines
- Continued work relating to implementation of Senate Bill 1008 (2019)

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In 2019, the Legislative Assembly enacted Senate Bill 1008, which created significant changes in the way that youth who commit Measure 11 crimes are treated in the juvenile and criminal justice systems. Specifically, it ended the automatic prosecution of 15-, 16-, and 17-year-olds as adults for Measure 11 offenses, authorized conditional release hearings for youth offenders under specified circumstances, and prohibited the imposition of a life sentence on youth offenders. After SB 1008's passage, the Office of Governor Kate Brown convened an implementation work group. As part of its charge, the group examined whether any legislative changes were necessary to better support the implementation of SB 1008. This measure is a product of that process.

House Bill 2939 A specifies that a waiver hearing must be conducted in the county where the alleged act is alleged to have occurred and provides that youth up to the age of 20 may be committed to the Oregon Youth Authority under certain circumstances.